

RENTON CITY COUNCIL  
Regular Meeting

July 22, 2002  
Monday, 7:30 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

Mayor Pro Tem Toni Nelson led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF  
COUNCILMEMBERS**

TONI NELSON, Mayor Pro Tem; DAN CLAWSON; TERRI BRIERE; KING PARKER; DON PERSSON; RANDY CORMAN. MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL EXCUSE ABSENT COUNCILWOMAN KEOLKER-WHEELER. CARRIED.

**CITY STAFF IN  
ATTENDANCE**

JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; JIM SHEPHERD, Community Services Administrator; TRACY COLEMAN, Capital Projects Coordinator; KAREN BERGSVIK, Human Services Manager; DIANNE UTECHT, Contract Specialist; DEREK TODD, Assistant to the CAO; COMMANDER ROBERT SEELYE, Police Department.

**PUBLIC HEARING**

Human Services: 2003 CDBG  
Funds Allocation

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Pro Tem Nelson opened the public hearing to consider the proposed allocation of the Community Development Block Grant (CDBG) funds for 2003.

Human Services Manager Karen Bergsvik stated that the Human Services Advisory Committee recommended that the CDBG funds be allocated as follows:

**CDBG PUBLIC SERVICES**

Communities in Schools of Renton	\$13,000
Community Health Centers of King County	\$13,000
ElderHealth NW/Connection	\$9,000
Emergency Feeding Program	\$12,000
Institute for Family Development	\$0
Visiting Nurse Services of the Northwest	\$7,200
Domestic Abuse Women's Network	<u>\$10,049</u>
Total	\$64,249

**CDBG CAPITAL REQUESTS**

City of Renton Minor Housing Repair	\$185,000
Children's Therapy Center	\$45,000
King County Housing Repair Program	\$50,000
Friends of Youth/Griffin Home	<u>\$43,930</u>
Total	\$323,930

Continuing, Ms. Bergsvik described the contingency funding plan which outlines what happens if the amounts available for the 2003 CDBG public services and capital funding programs increase or decrease. She reported that the Community Services Committee plans to present a report on this matter at the August 5th Council meeting.

Stating his agreement with the recommendations of the Human Services Advisory Committee, Councilman Parker expressed his appreciation for their efforts.

Audience comment was invited, there being none, it was MOVED BY PARKER,

SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING.  
CARRIED.

## ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington, reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2002 and beyond. Items noted included:

- ✱ IKEA Renton River Days, a family festival which celebrates the amenities and activities that makes the Renton community a great place in which to live, work, and play, gets underway this week beginning Tuesday, July 23rd through Sunday, July 28th.
- ✱ Volunteer groups have been active this spring improving Renton parks. The Eagle Scouts and employees from Windermere Real Estate Company spent a total of 210 hours planting more than 1,000 ground cover plants along the slopes of the Kenndale Lions Park at 2428 Aberdeen Ave. NE. In addition, Windermere Real Estate employees volunteered time painting signs, gates, and benches, and adding mulch to shrub beds in the park.
- ✱ Planning/Building/Public Works Department reported that the Sound Transit Sounder Commuter Rail improvements near Longacres Station can now be built entirely on Burlington Northern Santa Fe Railroad property; therefore, a perpetual easement from Renton is no longer needed.
- ✱ In the trial of King County versus Tydico, the Superior Court case regarding illegal land use activities at 13029 136th Ave. SE, on July 19th the Judge upheld the King County Hearing Examiner's decision finding that Tydico's use of the property is wrong, causing damage to the environment and the quality of life for surrounding property owners.

## AUDIENCE COMMENT

Citizen Comment: Quigley –  
Jacob Ahlstedt, Court Case  
(CRT-01-004)

Alberta Quigley, 364 Renton Center Way SW, A-56, Renton, 98055, complained of the alleged mistreatment of her grandson, Jacob Ahlstedt, by the Renton Police Department. Describing the ways he had allegedly been mistreated and how he has suffered since his arrest in 1999, Ms. Quigley stated that no one cares about her grandson's situation and condition.

Chief Administrative Officer Jay Covington indicated that this case is going to trial, and Ms. Quigley's perspective on the matter is very different from that of the City's. Assistant City Attorney Zanetta Fontes confirmed for the record that this matter is scheduled to go to trial at the end of August. A mediation was held; however, the case was not settled. She stated that the facts are in great dispute as to what transpired the night of his arrest.

Citizen Comment: Johnson –  
Spencer Court Apartments  
Alley, City Parking Lot Noise  
(Wells Ave S)

Arland Johnson, 334 Wells Ave. S., Apt. 221, Renton, 98055, thanked the Council for its decision to vacate Whitworth Ave. S. so that St. Anthony Parish can have a united campus. On another subject, he described safety problems that residents of the Spencer Court Apartments are having with the alley they must cross when they exit through the rear of the apartment building, located on Wells Ave. S., to get to their parking lot.

Mr. Johnson also expressed concern about the use of the City parking lot, located to the north of the apartments, by customers of McGowan's Restaurant & Lounge and other area restaurants who congregate in the lot after the restaurants close causing a lot of noise. He suggested that the City consider closing the parking lot from 2:00 a.m. to 6:00 a.m. He noted that the fans used by Service Linen Supply, located to the south of the apartments, create a lot of noise as well.

Mr. Johnson also expressed his hope that if I-405 is expanded, the City will push for State construction of a sound barrier.

## CONSENT AGENDA

Council discussion ensued regarding items listed on the Consent Agenda and City policies regulating which items are listed for Council concur or for referral to Council committee. It was pointed out that Committee of the Whole is scheduled to review the Council meeting policies and procedures on August 19th.

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilmembers, items 6.c., 6.d. and 6.i. were removed for separate consideration.

Council Meeting Minutes of July 15, 2002

Approval of Council meeting minutes of July 15, 2002. Council concur.

CAG: 02-106, Thunder Hills Sanitary Sewer Pipeline Access Road Repairs, Boettcher and Sons

City Clerk reported bid opening on 7/17/2002 for CAG-02-106, Thunder Hills Sanitary Sewer Pipeline Access Road Repairs; two bids; engineer's estimate \$190,040.96; and submitted staff recommendation to award the contract to the low bidder, Boettcher and Sons, Inc., in the amount of \$185,097.08. Council concur.

Community Services: Museum Master Plan, Consultant Hire

Community Services Department requested authorization to hire a consultant in the amount of \$60,000 to assist in developing a Museum Master Plan that would provide recommendations for programs and facilities that would respond to the future needs of the Renton Historical Museum. Refer to Community Services Committee.

Community Services: Maplewood Golf Course Water Treatment Facility Re-Design

Community Services Department recommended approval to use \$80,000 from the Maplewood Golf Course Fund Balance for the re-design of the water treatment facility location at Maplewood Golf Course. Refer to Community Services Committee.

Development Services: Aberdeen House Short Plat, ROW Dedication at NE 12th St & Aberdeen Ave NE

Development Services Division recommended Council acceptance of the dedication of a 15-foot corner radius at the northwest corner of NE 12th St. and Aberdeen Ave. NE for additional right-of-way to fulfill a requirement of the Aberdeen House Short Plat (SHP-02-046). Council concur.

Development Services: Madison Landing Short Plat, ROW Dedication at NE 4th Pl & Orcas Pl NE

Development Services Division recommended Council acceptance of the dedication of additional right-of-way along NE 4th Pl. and Orcas Pl. NE to fulfill a requirement of the Madison Landing Short Plat (SHP-01-059). Council concur.

Transportation: Strander Blvd/SW 27th St Connection, WSDOT Grant, CAG-94-054

Transportation Systems Division recommended approval of Supplement No. 1 to CAG-94-054, contract with Washington State Department of Transportation (WSDOT) for the Strander Blvd./SW 27th St. Connection, for a non-guaranteed advanced construction grant in the amount of \$746,000. City match is \$116,428. Refer to Transportation Committee.

CAG: 00-099, East Valley Road Rehabilitation, Gary Merlino Const Co

Transportation Systems Division submitted CAG-00-099, East Valley Road Rehabilitation; and requested approval of the project, authorization for final pay estimate in the amount of \$81,003.25 with a balance due back from the contractor of \$2,524 (overpayment) deducted from it for a net payment of \$78,479.25 to contractor Gary Merlino Construction Company, and commencement of a 60-day lien period, if all required releases are obtained. Council concur.

Utility: SW 7th St Drainage Improvement Project, Gray &

Utility Systems Division recommended approval of a contract with Gray & Osborne in the amount of \$207,743 to provide the engineering design for the SW

Osborne

7th St. Drainage Improvement Project to improve storm systems capacity and reduce the potential for local flooding problems. Council concur.

MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEMS 6.c., 6.d. AND 6.i. FOR SEPARATE CONSIDERATION. CARRIED.

**Separate Consideration**

**Item 6.c.**

CAG: 02-104, Police Evidence  
CBC Building Foundation &  
Site Work, Hisey Construction

City Clerk reported bid opening on 7/17/2002 for CAG-02-104, Police Evidence CBC Building Foundation and Site Work; four bids; engineer's estimate \$250,000; and submitted staff recommendation to award the contract to the second low bidder, Hisey Construction, in the amount of \$208,896 due to an irregularity with the low bid.

Assistant City Attorney Zanetta Fontes explained that a required document was missing from the packet submitted by the low bidder. She stated that there is no requirement in the law that bids be accepted if they are irregular in any way; however, the City can choose to waive minor irregularities. In this case, the missing required document concerning Equal Employment Opportunities Commission compliance was determined be a substantial irregularity, and Ms. Fontes recommended that Council award the contract to the second low bidder. Chief Administrative Officer Jay Covington noted that according to City policy, an irregular bid such as this would normally be referred to Council committee for review; however, due to the time sensitive nature of this project, Council concurrence is recommended.

MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL APPROVE CONSENT AGENDA ITEM 6.c. AS PRESENTED. CARRIED.

**Separate Consideration**

**Item 6.d.**

Community Services: Pavilion  
Building & Aquatics Center,  
Capital Projects Coordinator  
Temporary Hire

Community Services Department requested authorization to appropriate \$147,231 from Fund 316 Unallocated Fund Balance to hire a Capital Projects Coordinator, for a term not to exceed 24 months, to manage the design and construction of the Pavilion Building renovation and the Aquatics Center. Expenditure in 2002 is \$22,955.

Responding to Councilwoman Briere's inquiry regarding the project managers currently employed by the Community Services Department and the projects they are working on such as the Downtown Parking Garage, Community Services Administrator Jim Shepherd explained that an additional project manager is needed to manage the Pavilion Building and Aquatics Center projects because all project managers are currently working on other projects. He noted that the Downtown Parking Garage will not be completed until February or March of 2003. Mr. Shepherd stated that he will forward a list of current projects assigned to the project managers and the project timelines to Council.

MOVED BY PERSSON, SECONDED BY CLAWSON, COUNCIL REFER CONSENT AGENDA ITEM 6.d. TO THE FINANCE COMMITTEE. CARRIED.

**Separate Consideration**

**Item 6.i.**

Legal: Dangerous Dog  
Ordinance

Legal Division recommended adoption of an ordinance changing the definition of dangerous dog and increasing the amount of insurance necessary for an owner to obtain a certificate of registration for a dangerous dog in order to comply with a new State law on animal control.

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL REFER CONSENT AGENDA ITEM 6.i. TO THE PUBLIC SAFETY COMMITTEE.\*

Councilman Clawson asked the City Attorney to review the ordinance language pertaining to the use of the phrases "dangerous dog" and "vicious dog."

\*MOTION CARRIED.

## **OLD BUSINESS**

### **Utilities Committee**

Utility: Emergency Sale of  
Water to Seattle Contract

Utilities Committee Chair Briere presented a report recommending concurrence in the staff recommendation to approve the interlocal agreement with the City of Seattle for the emergency sale of water. The Committee recommended that the Mayor and City Clerk be authorized to execute the interlocal agreement. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. **MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 301 for resolution.)

### **Finance Committee**

Community Services: Pavilion  
Building Renovation, Mithun  
Architects

Finance Committee Chair Parker presented a report concurring with the staff recommendation to authorize the Mayor and City Clerk to sign a consultant contract with Mithun Architects to provide design, bidding, and construction administration services for the renovation of the Pavilion Building. The contract amount is \$127,500, which is consistent with the Washington State Guidelines for determining architect and engineer fees for public works building contracts.\*

Councilman Parker stated that eleven proposals were submitted for this project, and after a review of the proposals by staff, Mithun Architects was determined to far exceed the City's expectations regarding the options available for the renovation of the Pavilion Building.

**\*MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT.\***

Councilman Clawson indicated that he did not sign the Committee report, saying that some improvements have already been made to the Pavilion Building and he is concerned about going forward with this project due to the City's financial situation. He pointed out that if the City cannot afford to hire an additional patrol officer, then he does not want to see money spent on non-essential items. Before decisions can be made on projects such as these, Mr. Clawson stated that Council must first discuss and determine the City's spending priorities. He emphasized that despite the issue regarding the use of one-time revenues versus ongoing revenues, it is all taxpayer money, and it should be used to pay for public safety first.

Councilman Parker stated that his philosophy is different from Mr. Clawson's, and pointed out that \$2.3 million was set aside four years ago for this project. The project was reviewed very carefully over that period of time in efforts to create a facility that further enhances the downtown area. He noted that the City has proceeded in a cautious manner and the scale of the project has been reduced considerably. In regards to the police staffing issue, Mr. Parker indicated that the Police Chief presented Council with staffing priorities which he supported. He stated that during the upcoming budget hearings, issues such as police staffing will be discussed and a list of spending priorities will be developed. Mr. Parker maintained his opinion that one-time monies should not be used for ongoing expenditures.

\*MOTION CARRIED.

Mayor Pro Tem Nelson relayed that many citizens are excited about the Pavilion Building, and stated that once renovated, the Pavilion Building will create

revenue for the City.

## **ORDINANCES AND RESOLUTIONS**

### **Resolution #3582**

Utility: Emergency Sale of Water to Seattle Contract

The following resolution was presented for reading and adoption:

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement with the City of Seattle for the purchase of non-peak water by the City of Seattle. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the Council meeting of 08/05/2002 for second and final reading:

Utility: Sewer Service Connections Outside City Limits, City Code Amend

An ordinance was read amending Section 4-6-040.C, of Chapter 6, Street and Utility Standards, of Title IV (Development Regulations) of City Code by revising policies by which the City allows connection to its sanitary sewer system by property owners outside of the current City limits. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 08/05/2002. CARRIED.

## **NEW BUSINESS**

Human Services: Crisis Clinic as 211 Call Center

Councilman Parker reported that he met with Kathleen Southwick, Executive Director of the Crisis Clinic, regarding the 211 dialing code available to local communities to use to provide easier access to comprehensive information and referral service for health and human service resources. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL REFER THE ISSUE OF SUPPORT FOR THE PROPOSED 211 CRISIS CLINIC CALL CENTER TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

## **ADJOURNMENT**

MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL ADJOURN. CARRIED. Time: 8:31 p.m.

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Bonnie Walton, City Clerk

Recorder: Michele Neumann  
July 22, 2002